## City Council Atlanta, Georgia

Substitute AN ORDINANCE BY: ZONING COMMITTEE

U-02-34/U-98-27 D2-0-1995

AN ORDINANCE TO AMEND ORDINANCE
U-98-27, ADOPTED BY CITY COUNCIL
FEBRUARY 15, 1999 AND APPROVED BY
OPERATION OF LAW FEBRUARY 23, 1999,
GRANTING A SPECIAL USE PERMIT FOR
A PRIVATE CLUB, PROPERTY LOCATED AT
1192 AND 1198 PIEDMONT AVENUE, N.E., FOR
THE PURPOSE OF APPROVING A REVISED SITE
PLAN AND CHANGE OF CONDITIONS.
OWNER: PIEDMONT DRIVING CLUB
APPLICANT: SAME
BY: CARL E. WESTMORELAND, JR.
NPU-E
COUNCIL DISTRICT 6

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1. That Ordinance U-98-27, adopted by City Council February 15, 1999 and approved by Operation of Law February 23, 1999, granting a Special Use Permit for a Private Club for property located at **1192 and 1198 Piedmont Avenue**, **N.E.**, and more particularly described by the attached legal description, is hereby amended as described in the attached letter addressed to John A. Bell, Zoning Administrator, City of Atlanta and signed by Carl E. Westmoreland on behalf of Piedmont Driving Club. Said letter is dated October 15, 2002, marked received by the Bureau of Planning October 15, 2002 and consisting of six (6) pages including attachments.

SECTION 2. That in addition to the stipulations contained in the letter referenced in Section 1 above, this revised site plan and change of conditions shall be subject to the provision of the attached document entitled "Conditions to U-02-34/U-98-27, 1192 Piedmont Avenue."

SECTION 3. That approval of the change of conditions and site plan amendment described in the attached letter referenced in Section 1 above shall not authorize the violation of any zoning district regulations. District regulation variances may be granted on by the Board of Zoning Adjustment in response to the application of a petitioner.

SECTION 4. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

POWELL GOLDSTEIN FRAZER & MURPHY LLP ATTORNEYS AT LAW

October 15, 2002

ATLANTA • WASHINGTON

Direct Dial: 404-572-4503 E-mail: cwestmor@pgfm.com

U-02-34/U-98-27

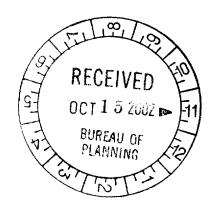
### **VIA HAND DELIVERY**

Mr. John A. Bell
City of Atlanta
Dept. of Planning, Development &
Neighborhood Conservation
68 Mitchell Street, S.W.
Suite 3350
Atlanta, Georgia 30335-0308

Re: U-98-27

1192 Piedmont Avenue

Dear Mr. Bell:



Please accept this letter as a request, on behalf of the Piedmont Driving Club, for amendment of the above special use permit. The Club is the owner of the property at 1192 Piedmont Avenue which, together with the contiguous lot at 1198 Piedmont Avenue, was the subject of U-98-27. The property at 1192 Piedmont has been used by the Club as a parking lot since 1970. The lot at 1198 Piedmont has been sold by the Club since the approval of that case.

The existing conditions of U-98-27 restrict the use of the property as a parking lot to a period ending in February of 2003. The applicant seeks to change the conditions to extend the period of use of 1192 Piedmont as a parking lot, but with a commitment that such use would terminate in three years, when such parking can be replaced with a deck which is requested by the filing of applicant's concurrent application concerning their property at 1215 Piedmont Avenue. The applicant is also asking to condition the continued use of this property as a parking lot on a plan which will make the site more attractive and provide appropriate lighting and security for the lot. Those conditions which apply only to the 1198 Piedmont tract will be deleted from the special use permit.

Accordingly, the applicant requests amendment of U-98-27 as follows:

- A. By deleting paragraph 2.
- B. By deleting paragraph 3.
- C. By deleting paragraph 4 and replacing it with the following:



"This permit shall supercede U-70-49 and the duration of this permit shall be three years for 1192 Piedmont Avenue, during which time the applicant shall make alternative parking arrangements."

D. By deleting paragraph 5 and replacing it with the following:

"The property shall be improved as indicated on the attached site plan by Smallwood, Reynolds, Stewart, Stewart & Associates, Inc. dated October 14, 2002."

I have attached 14 copies of the site plan referred to above, a legal description of the property, a check in the amount of \$400.00 and a copy of U-98-27. Please let me know if you have questions or need anything further.

Very truly yours,

Carl E. Westmoreland, Jr.

CEWJr/mr Enclosures ::ODMA\PCDOCS\ATL\621912\1

U-02-34/U-98-27



## CONDITIONS TO U-02-34/U-98-27 1192 Piedmont Avenue

- 1. This permit shall terminate (a) three years from the date of approval of the application by the Mayor or (b) at such time as additional parking is provided on the applicant's property at 1215 Piedmont Avenue and/or in conjunction with the Piedmont Park Conservancy and the Atlanta Botanical Garden (toward which the applicant shall work in good faith), whichever occurs first.
- 2. The applicant shall immediately seek and diligently pursue issuance of a Special Administrative Permit and building permit to allow the improvements as indicated on the site plan by Smallwood, Reynolds, Stewart, Stewart & Associates, Inc. dated December 5, 2002, and shall complete construction of such improvements within 90 days of the issuance of a building permit for all aspects of the work. This Special Use Permit shall terminate if the improvements are not completed within the 90-day period.
- 3. The lot shall be regularly patrolled by the applicant's security personnel between the hours of 5:30 a.m. and 12:30 a.m. on a daily basis and shall be covered by the applicant's security cameras.
- 4. The applicant shall provide routine maintenance to keep the lot clean and free of litter
- 5. The applicant shall improve the sidewalk and provide additional landscaping in the "furniture zone" along Piedmont Avenue as indicated on the site plan referenced above. Any landscaping off the applicant's property will be done subject to the approval of the adjacent property owners and the Bureau of Planning. The curb height along Piedmont Avenue will be established at six inches and stormwater runoff from the site will be minimized.

BUREAU OF

::ODMA\PCDOCS\ATL\633653\1

# PIEDMONT DRIVING CLUB OFF SITE PARKING

Smallwood, Reynolds, Stewart, Stewart & Associates, Inc.

Commission No.: 202077.00 December 05, 2002

## Atlanta City Council

Regular Session

MULTIPLE

02-0-1987/Z-02-77 02-0-1995/U-02-34/U-98-27 ADOPT ON SUB

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y	Smith	NV	Archibong	NV	Moore	Y	Mitchell
Y	Starnes	Y	Fauver	Y	Martin	Y	Norwood
Y	Young	Y	Shook	Y	Maddox	NV	Willis
Y	Winslow	Y	Muller	Y	Boazman	NV	Woolard

## 02-0-1995

COUNCIL ACTION

First Reading

Committee

U-02-34/U-98-27 BY: ZONING COMMITTEE AN ORDINANCE

AN ORDINANCE TO AMEND ORDINANCE Solstiteto U-98-27, ADOPTED BY CITY COUNCIL FEBRUARY 15, 1999 AND APPROVED 23, 1999, GRANTING A SPECIAL USE OWNER: PIEDMONT DRIVING CLUB 1198 PIEDMONT AVENUE, N.E. FOR AFFLICANT: SAME BY: CARL E. WESTMORELAND, JR. BY OPERATION OF LAW FEBRUARY PROPERTY LOCATED AT 1192 AND REVISED SITE PLAN AND CHANGE COUNCIL DISTRICT 6 THE PURPOSE OF APPROVING A PERMIT FOR A PRIVATE CLUB, OF CONDITIONS.

ADOPTED BY

COUNCIL

Fav, Adv, Held (see rev. side)

Fav, Adv, Held (see rev. side)

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Actions

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Other

**Actions** 

Chair

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11 18 02 **Date Referred** 

ZKB+Zoning

Referred To:

□Consent □V Vote ☑RC Vote □2nd □1st & 2nd □3rd Readings 10/10/00 Care A ERTIFIEL JAN 2 1 2003 CERTIFIED Fav, Adv, Held (see rev. side) Committee Members Actions Refer To Sair 1000 -asst Fav, Adv, Held (see rev. side) 45925 ノミスラリ Committee Actions Refer To Chair

Committee

Committee

CEPUTY MUNICIPAL CLERK

**MAYOR'S ACTION**